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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA) Criminal No. 15-227
)
v.) 18 U.S.C. § 922(g)(1)
)
JOHN FRANCIS LEY) [UNDER SEAL]

INDICTMENT

COUNT ONE

The grand jury charges:

On or about September 1, 2015, in the Western District of Pennsylvania, the defendant, JOHN FRANCIS LEY, after having been convicted, on or about November 2, 2006, at Docket Number CP-02-CR-0005936-2006 in the Court of Common Pleas, County of Allegheny, in the Commonwealth of Pennsylvania, of the crime of aggravated assault, which is a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting interstate commerce a firearm and ammunition, namely a Taurus pistol, Model PT738, .380 caliber, bearing serial number 52390D, and forty-five rounds of "Blazer" .380 ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

FORFEITURE ALLEGATION

1. The allegation contained in Count One of this Indictment is incorporated by reference as if fully set forth herein for the purpose of alleging criminal forfeiture pursuant to Title 21, United States Code, Sections 853(a)(1), 853(a)(2), and 853(p), and Title 28, United States Code, Section 2461(c).

2. As a result of the defendant JOHN FRANCIS LEY's commission of the violation of Title 18, United States Code, Section 922(g)(1), charged in Count One of this Indictment, the firearm and ammunition alleged in that Count, that is, a Taurus pistol, Model PT738, .380 caliber, bearing serial number 52390D, and forty-five rounds of "Blazer" .380 ammunition, are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1).

3. If, through any act or omission by the defendant, JOHN FRANCIS LEY, any or all of the property and proceeds referenced in paragraph two above (hereinafter "the Subject Property"):

a. Cannot be located upon the exercise of due diligence;

b. Has been transferred, sold to, or deposited with a third person;

c. Has been placed beyond the jurisdiction of the Court;

d. Has been substantially diminished in value;

or

e. Has been commingled with other property which cannot be subdivided without difficulty.

The United States intends to seek forfeiture of any other property of the defendant, JOHN FRANCIS LETY, up to the value of the Subject Property forfeitable above pursuant to Title 18, United States Code, Section 924(d); and Title 28, United States Code, Section 2461(c).

A True Bill,


Foreperson


DAVID J. HICKTON
United States Attorney
PA ID No. 34524